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September 20, 2023

MEMO ENDORSED
9/20/23

By ECF

Hard copy to follow by mail

The Hon. Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Sentencing Adj. to
Sept. 28, 2023
At 3 PM

Re: *United States v. Pedro Rivera*,
22 Cr. 082 (CM)

Dear Judge McMahon:

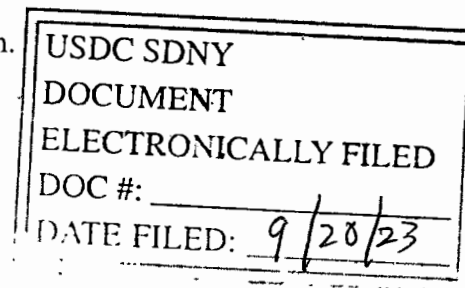
I represent the defendant, Pedro Rivera, in the above-referenced matter and write to respectfully request an approximate 30-day adjournment of Mr. Rivera's sentencing hearing, presently scheduled for October 17, 2023. An adjournment requested to provide the defendant with additional time to complete the undersigned's mitigation investigation.

As Your Honor may recall, the undersigned was appointed after Mr. Rivera had already pled guilty in this case. Sentencing was originally scheduled for September 12, 2023, but was adjourned to October 17, 2023, to avoid the need for me to draft Mr. Rivera's sentencing memorandum during a pre-planned family vacation. Although much of the work needed to begin drafting Mr. Rivera's sentencing memorandum is now complete, this second request for an adjournment is requested due to delays in receiving mitigation records necessary to corroborate our mitigation investigation and for counsel to effectively evaluate Mr. Rivera's Section 3553(a) factors.

I have spoken with Assistant United States Attorney Ashley Nicolas and she has informed me that the Government has no objection to the instant application.

Accordingly, Defendant Pedro Rivera, by and through counsel, respectfully requests an approximate 3-day adjournment of Mr. Rivera's sentencing, presently scheduled for **October 17, 2023**, to **the week of November 13, 2023**, or a date and time thereafter that is convenient to this Court.

As always, we thank Your Honor for your time and consideration.



The Hon. Colleen McMahon
September 20, 2023
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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MBR', with a long horizontal flourish extending to the right.

Michael K. Bachrach
Attorney for Defendant Pedro Rivera

cc: All parties of record (by ECF)